

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 08-00259-01-CR-W-DGK
)	
TIMOTHY S. WEBSTER,)	
)	
Defendant.)	

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 08-00260-01-CR-W-DGK
)	
WARREN B. SCHMIDGALL,)	
)	
Defendant.)	

ORDER

Having considered the Government's Motion under the Justice for All Act (Doc. #8), the Court finds that:

- (1) the number of potential victims in this case makes it impracticable to provide individual notice as contemplated in the Justice for All Act ("the Act") at 18 U.S.C. § 3771(a)(2);
- (2) the "multiple crime victims" provision of the Act applies to this case;
- (3) the procedure for giving future notice to potential victims as set forth in the Government's motion constitutes a "reasonable procedure" to give effect to and ensure compliance with the notice provisions of the Act;
- (4) the notice procedure used by the Government in advance of the September 15, 2008,

hearing was a “reasonable procedure” that complied with the notice provisions of the Act; and

- (5) to give further effect to the right of a crime victim to be heard regarding the guilty pleas tendered by the defendants on September 15, 2008, the Court invokes Fed.R.Crim.P. 11(c) (3)(A) and defers a decision on whether to accept or reject the plea agreement of each defendant until after the Court has reviewed the presentence report prepared by the United States Probation Office.

IT IS HEREBY ORDERED:

The United States’ Motion under the Justice for All Act is granted. Accordingly, the United States is authorized to comply with 18 U.S.C. § 3771(a) by:

- (1) posting information relevant to notification of victims on the website for the United States Attorney’s Office for the Western District of Missouri, and to do so on an ongoing basis throughout future court proceedings; and
- (2) providing written notice to the lead attorney designated to act on behalf of all the shareholders/victims in *In Re American Italian Pasta Company Securities Litigation*, Case No. 05-00725-CV-W-ODS, United States District Court, Western District of Missouri, which is Mr. Marc I. Gross, at Pomerantz Haudek Block Grossman & Gross, LLP, 100 Park Avenue, 26th Floor, New York, NY 10017.

IT IS SO ORDERED.

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT

Date: October 14, 2008